

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROOSEVELT MCCORMICK,

Plaintiff,

v.

Case No. 13-11098

CORIZON HEALTH, INC.
AND JANE DOES,

Defendants.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION GRANTING DEFENDANTS'
MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT**

This matter was referred to United States Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. In his report filed on January 27, 2014, the magistrate judge recommended that this court grant Defendant Corizon Health Inc.'s Motion to Dismiss [Dkt # 19] and deny Plaintiff McCormick's Motion for Summary Judgment [Dkt # 27]. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.¹

Having reviewed the file and the Report, the court concludes that the findings and conclusions of the magistrate judge are correct and ADOPTS the same for the purposes of this Order.

¹The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendant Corizon Health, Inc.'s Motion to Dismiss is GRANTED, Plaintiff McCormick's Motion for Summary Judgment is DENIED and the complaint is DISMISSED WITHOUT PREJUDICE as to Defendant Corizon Health Inc.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 6, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 6, 2014, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522